

Claims 9-14, 17-20, 24-27, 31, 32, 40-42, and 46 are pending in this application. Claims 9-14 and 17 are under examination, the other claims having been withdrawn from consideration. Claims 9 and 17 are independent.

Claims 9-14 and 17 have been rejected under 35 U.S.C. §102 as being unpatentable over U.S. Patent No. 5,909,602 (Nakai et al.). Applicant respectfully traverses this rejection for the reasons discussed below.

As recited in independent Claim 9, the present invention is directed to an image processing apparatus that includes, *inter alia*, the feature of outputting color image data to make an image forming unit form a color image using received color image data, wherein the image processing apparatus controls formation of the color image according to a result of judgment in an image generating apparatus having a forgery judging function if the color image data is generated by an image generating apparatus having the forgery judging function, and controls formation of the color image according to a result of judgement by judging means in said image processing apparatus itself, if the color image data is generated by an image generating apparatus not having the forgery judging function. As a result of this feature, an image processing apparatus can always control image formation based on a judgment result, but it only needs to perform the judgment itself if the image data was generated by an apparatus that does not have a forgery judging function. Thus, if image data is generated by a device that has the forgery judging function, an image processing apparatus can save processing time by skipping the judgment function so such function is not unnecessarily duplicated, whereas if the image data is generated by a device that does not have the forgery judging function, such judgment can still be performed. In other words, the image processing apparatus of Claim 9 only performs a judgment when

image data is generated by an image generating apparatus that does not have a forgery judging function, and otherwise it makes use of the judgment result from the image generating apparatus.

Applicants submit that the cited art fails to disclose or suggest at least the above-mentioned feature. In particular, Applicants submit that Nakai et al. merely discloses that a copy machine (e.g., 93) can perform a judgment requested by another copy machine (e.g., 91 or 92) and return the judgment result to that other copy machine. Applicants submit that it does not disclose or suggest at least the feature of controlling image formation according to a judgment result in an image generating apparatus, if the image generating apparatus has a forgery judging function, and controlling image formation according to a judgment result performed in the processing apparatus itself, if the image generating apparatus does not have the forgery judging function.

More specifically, in the system of Nakai et al., Applicants submit that when copy machine 93 is requested to perform judgment by another apparatus, copy machine 93 performs the judgment without fail, irrespective of whether the request comes from an image generating apparatus (e.g., copy machine 91 or 92) that has the forgery judging function. Thus, the system of Nakai et al. lacks the advantages of the apparatus recited in Claim 9, whereby processing time is saved because the apparatus does not perform judgment if the image data is generated by an image generating apparatus that has the forgery judging function.

The Office Action asserts that in Nakai et al. Received image data that has confidential marks will print with lower resolution and/or not print at all. However, that patent does not disclose or suggest that copy machine 93 controls image formation

according to a result of judgment result in another apparatus, e.g., copy machine 92, when that other apparatus has the forgery judging function. To the contrary, Applicants submit that even though copy machines 91 and 92 *do* have a forgery judging function, copy machine 93 nevertheless performs a judgment if it is requested to do so, and it then returns the result of the judgment to the requesting machine. Further, it is the requesting machine that then controls image formation to perform low-resolution printing or not to perform printing.

To the extent that the Examiner continues to rely upon columns 31-35 of Nakai et al., the Examiner is requested to identify more specifically where that patent discloses the features it is allege to teach.

For the foregoing reasons, Applicants submit that this application is in condition for allowance. Favorable reconsideration, withdrawal of the rejection set forth in the above-mentioned Office Action, and an early Notice of Allowance are requested.

Request for Personal Interview

Applicants would like to have a personal interview between the Examiner and their undersigned representative. Accordingly, the Examiner is respectfully requested to telephone Applicants' undersigned representative when this case is before the Examiner for action, so that an interview can be scheduled.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'B. L. Klock', written over a horizontal line.

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